

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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In re:

Case No.: 23-17074-JKS

William J Appleton,

Chapter 13

HON. JUDGE: John K. Sherwood

Debtor.

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**OBJECTION TO DEBTOR'S MOTION TO EXTEND THE AUTOMATIC STAY**  
**PURSUANT TO 11 USC § 362(c)(3)(B)**

PLEASE TAKE NOTICE that SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Lodge Series III Trust ("Secured Creditor"), the holder of a mortgage on real property of the Debtor, located at 23 Maple Street, Ramsey, NJ 07446 by and through its undersigned attorneys, hereby objects to the Debtor's Motion to Extend the Automatic Stay on grounds including:

1. Secured Creditor holds a mortgage on the Debtor's real property located at 23 Maple Street, Ramsey, NJ 07446, (the "Property").
2. This Objection is submitted in response to the Debtor's Motion to Extend the Automatic Stay (ECF. Doc. No. 4) (the "Motion") filed on August 16, 2023.
3. Upon review of internal records, the estimated pre-petition arrearage amount in connection with Secured Creditor's claim is 249,815.84. Further, the estimated total to payoff Secured Creditor's claim is \$336,443.77.
4. Per the Debtor's Schedule I, Debtor's total monthly income is \$3,445.00. Per Schedule J, the monthly expenses are \$3,295.00 leaving only \$150.00 in monthly net income.

5. Upon review of Debtor's Chapter 13 Plan, Debtor's proposed cure of Secured Creditor's substantial arrearages is solely dependent on the Debtor obtaining proceeds from a potential Medical Malpractice action.
6. The above treatment is far too speculative to sufficiently cure Secured Creditor's significant pre-petition arrearage and therefore the Debtor cannot establish this current case was filed in good faith.
7. Due to the serial filings of this Debtor and the Debtor's unfeasible financial condition the Secured Creditor will be filing a Motion seeking Relief from the Automatic Stay seeking In Rem Relief as to the Property.

**WHEREFORE,** Secured Creditor respectfully requests that this Court deny the instant application, in its entirety, as requested herein; and further relief that this Court deems proper.

Dated: Garden City, NY  
September 7, 2023

Respectfully submitted,  
FRIEDMAN VARTOLO, LLP.

By: /S/ Charles Wohlrab  
Charles Wohlrab, Esq.  
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**CERTIFICATION OF SERVICE**

On September 7, 2023, I, Charles Wohlrab, Esq., caused to be served a true copy of the annexed **OBJECTION TO DEBTORS' MOTION TO EXTEND THE AUTOMATIC STAY** by mailing the same by First Class Mail in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service, addressed to the last known address of the addressee, and the property address as indicated on the attached Service List annexed hereto.

By: /s/ Charles Wohlrab  
Charles Wohlrab, Esq.  
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**SERVICE LIST**

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***Debtor***

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Abelson Law Offices  
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***Debtor's Attorney***

Marie-Ann Greenberg  
Chapter 13 Standing Trustee  
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***Trustee***

U.S. Trustee  
US Dept of Justice  
Office of the US Trustee  
One Newark Center Ste 2100  
Newark, NJ 07102

***U.S. Trustee***